

**Conservation Commission Meeting Minutes
December 11, 2013**

Members Present: Louis A. Napoli, Chairman, Joseph W. Lynch, Jr. Vice Chairman, Deborah A. Feltovic, John T. Mabon, Albert P. Manzi, Jr., (arrived 7:07 p.m.) Sean F. McDonough, Douglas W. Saal.

Staff Members Present: Jennifer A. Hughes, Conservation Administrator, Heidi M. Gaffney Conservation Field Inspector, Donna M. Wedge, Conservation Secretary.

Pledge of Allegiance

Meeting came to Order at: 7:05PM Quorum Present.

Approval of Minutes of 10/23/13

- A motion to accept the meeting minutes of 10/23/13 as drafted and reviewed is made by
- Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.

Public Hearing: 7:07 PM

Notice of Intent (NOI)

**242-1613, 190 Academy Road (North Parish Church) (Christiansen & Sergi, Inc.)
(cont. from 11/20/13)**

- Philip Christiansen of Christiansen & Sergi, Inc. is present.
- Mr. Saal read the legal notice.
- Mr. Christiansen states stone drip trench 2/3 foundation drain, sidewalk upgrades and construction access in the buffer zone. The catch basins on site would be capped off once we check what they are used for.
- Mr. Lynch states small brook runs down Stevens Street to Great Pond Road this does not affect this property the stream runs the other way. O & M Plan needs to be submitted back of the lot is level.
- Mr. Mabon states the wetland line reviewed and approved infiltrators chamber rain fall ½ inch water quality third party review this redevelopment project for the addition to the building.
- Mr. Saal states the wetlands areas are across the street.
- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *NOI Wetland Fee Transmittal Form*

- *Copy of State and Town Checks*
- *Description of proposed Work*
- *Locus Map*
- *Notification to Abutter's Form*
- *Certified Abutter's List dated 9/24/13*
- *Letter from Christiansen & Sergi, Inc. dated 10/10/13*
- *Revised Notice of Intent dated 11/25/13*
- *Letter from Christiansen & Sergi, Inc. dated 11/4/13*
- *Site Plan Diagram Torrey Architecture dated 10/16/13*
- *North Parish Church Existing conditions dated 10/15/13*
- *Photos dated 11/20/13*

242-1615, 105 Carlton Lane (Cordaro) (Wetlands & Land Management, Inc.)

- The applicant Emily Cordaro of 105 Carlton Lane and William Manuel of Wetlands & Land Management, Inc. is present.
- Mr. McDonough read the legal notice.
- Mr. Manuel states the applicant wants remove existing deck and make a smaller deck and use exiting sono tubes for new deck the installation of fiberglass inground pool would require pea stones and gravel and sand.
- Mr. Mabon states no waiver request submitted some kind of permeate barrier on the site to protection of the resource areas on this site. The applicant has to install a fence around the pool maybe extends the fencing around the property.
- Mr. Lynch states the leaching field needs to be protected also dewatering for the pool installation cannot do dewatering near the leaching field. Showing the stockpile area floor drainage piping hay bale detail needs to be shown infiltration system for the pool installation.
- Mr. McDonough states installation in the spring time slope needs to be protection installation stonewall.
- Mr. Saal states is the pool going to be anchored so the pool does not floating up to the top of the land that could be problem.
- Mr. Manuel states no I have inground pool like this and no problem with floating up to top of the land.
- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Mr. McDonough, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Notice of Intent*
- *Letter from Wetlands & Land Management, Inc. dated 11/20/13*
- *Locus Map*
- *WPA Form-Notice of Intent*
- *General Information*
- *Notice of Intent Fee Transmittal Form*
- *Copy of State and Town Checks*
- *Notification to Abutter's Form*
- *Certified Abutter's List dated 10/3/13*

- *Project Description*
- *Existing Conditions Plan of Land with proposed pool location dated 10/5/13*
- *Photos dated 11/25/13*
- *North Andover MIMAP dated 11/26/ 12*
- *Pictometry Online image dated 11/23/2007 print dated 11/26/2013*
- *Pictometry Online image dated 4/3/2012 print dated 11/26/2013*

242-1614, 1049 Salem Street (Lot 70) (Hannaford & Riley, LLC) (Merrimack Engineering Services, Inc.)

- The applicant Douglas Ahern of Jeffco, Inc. and William Dufresne of Merrimack Engineering Services, Inc. is present.
- Mr. Manzi Left the meeting conflict of interest.
- Ms. Feltovic read the legal notice.
- Mr. McDonough states dry set stone wall this is good project.
- Mr. Lynch states this filing straight forward.
- Mr. Dufresne states the old septic system would crush and filled with sand and new septic system would be installed.
- Mr. Mabon states no questions most of this project is outside the buffer zone.
- Mr. Dufresne states this has walk in basement underground garage driveway new septic system on the site and demolish two houses existing dwellings make room for single-family dwelling on the site for big improvement.
- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.
- **Documents:**
- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *Project Narrative*
- *NOI Wetland Fee Transmittal Form*
- *Copy of State and Town Checks*
- *Notification to Abutter's Form*
- *Certified Abutter's List dated 11/26/13*
- *Affidavit of Service*
- *MAGIS Online Mapping Tool dated 11/27/13*
- *Letter from Basbanes Wetland Consulting dated 11/14/2012*
- *FEMA Firm Map dated 7/3/2012*
- *Locus Map dated 11/27/13*
- *North Andover Wetlands Regulations Riverfront Map dated 6/3/2003*
- *Town of North Andover Board of Assessors dated 1/2/2007*
- *Copy of Deed for 1049 Salem Street dated 10/10/13*
- *Site Plan of Land dated 11/29/13*

242-1608, 120 Campion Road (Sigman) (Sullivan Engineering Group, LLC) (cont. from 11/20/13)

- Administrator states the Planning Board issued their decision on December 3, 2013 all the stormwater management plan have been reviewed.
- Mr. Lynch states there is open Order of Conditions this should have been closed out years ago there are easements on the properties for drainage that DPW would take care of this but the easements can be given up to the homeowners. This should be corrected before we issue a new Order of Conditions.
- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Ms. Feltovic, seconded by Mr. Lynch.
- Vote unanimous.
- **Documents:**
- *Letter from Sullivan Engineering Group, LLC dated 11/26/13*
- *Site Plan Development Plan of Land dated 10/4/13*
- *Photos dated 10/21/13*

242-1593, 16 Berry Street (North Andover Holdings, LLC) (LEC Environmental Consultants, Inc.) (cont. from 11/20/13)

- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Ms. Feltovic, seconded by Mr. McDonough.
- Vote unanimous.
- **Document:**
- *E/Mail Letter from LEC Environmental Consultants, Inc. requesting a continuance to January 8, 2014 meeting dated 12/11/13.*

Request for Determination of Applicability

0 Stevens Street, (The Trustees of Reservation)

- The applicant Kevin Block of the Trustees of Reservation, and Abutter's Peter Boynton of 320 Stevens Street, Deborah A. Falcone of 505 Stevens Street, and Winfield M. Malcolm of 11 Foxhill Road is present.
- Mr. Saal read the legal notice.
- Administrator states the proposal is the build a 24' long 6' wide truss bridge over a section of intermittent stream on TTOR property there is an easement the was deeded as part of the property. There have been a few abutters' in concern about dogs and increased foot traffic in the area.
- Mr. Saal states the bridge height dips down razes up onto higher ground.
- Mr. block states the bridge height would be 6-feet to 8-feet high.
- Mr. Manzi states the trails are important access for public use. The dogs we do not control you have to call the Police Department for that problem.
- Mr. Mabon states this low impact part connecting trails around the Town of North Andover is very good progress in improving the trail system.
- Mr. Block states this is connection to weir hill thru the trail system throughout The Town of North Andover and Friends of North Andover Trails has been great help in maintaining the Trials throughout the Town of North Andover.

- Mrs. Falcone states the traffic of patrons walking and dog's running everywhere loose
- This have become no control over the loose dogs my child got knock over by running dog at Half Mile Hill so we do not walk those trails any more this is becoming a dangerous
- Area to walk with small children not family friendly.
- Mr. Manzi withdraws the motion for positive determination.
- A motion to issue a negative determination #3 with conditions pre-construction and post construction meeting on site is made by Mr. Lynch, seconded by Mr. Mabon.
- Vote 6 to 1 (Mr. Manzi opposed)
- **Documents:**
- *Application Checklist-Request for Determination of Applicability*
- *WPA Form 1-Request for Determination of Applicability*
- *Project Description*
- *Description of work to be performed*
- *Construction Sequence dated 11/24/13*
- *Sketched Plan of Truss Bridge Proposal dated 11/14/13*
- *Photograph of Stevens Conservation Restriction Land*
- *Exhibit A Trail Easement*
- *Photograph 1: This section of the brook that the truss bridge will span. This picture taken from the north end of the brook facing south.*
- *Photograph 2: These are the banks of the brook that the Truss bridge will rest on. The photograph is taken from the west side of the brook facing east.*
- *Photograph 3: This is the design of the Truss Bridge that will be used for brook crossing. This photograph depicts and 8-foot wide bridge where the one over the brook that we construct will only be 6-foot wide.*
- *USGS Locus Map*
- *NHESP Map*
- *Notification of Abutter's Form*
- *Certified Abutter's List dated 11/22/13*

General Business: 8:50 P. M.

**242-1399, COC Request, 245 Berry Street (Fratto) (Christiansen & Sergi, Inc.)
(cont. from 11/20/13)**

- The applicant Mr. Gregg Fratto of 245 Berry Street is present.
- Administrator states the well is off by 10' from where it was proposed. The fence be monumented the makers also markers could placed on the new stonewall. To get to the well the fence might have to be removed.
- Mr. Mabon states comply with the red line with new wall and moving the fence off abutter's property follow the plan with red line to come in compliance with the site and remove erosion controls.
- Mr. McDonough opposes with the project getting COC there bulkhead within 25-foot No-Disturbance zone should be removed fencing fixed and construction of new stonewall to be in compliance.
- Administrator states this house was suppose be single floor house with handicap acceptability to the house that was what was approved at that time.

- Mr. Manzi states at the time the applicant came in wheel chair with his son Kevin Stack, Jr. verify military service with forms submitted to Conservation Commission approved the house built as one story house which we did approve at time. The applicant never came back to the Conservation Commission for modification request. The applicant built the house to sell that is what happened here.
- A motion to deny the COC request because the house non- compliance is made by Mr. Lynch, seconded by Mr. Manzi.
- Vote 6 to 1 (Mr. McDonough opposed)
- **Documents:**
- *Conservation As-Built Plan dated 11/12/13*
- *Photos dated 11/20/13*
- *Photos dated 12/9/13*

242-1539, COC Request, 102 Peters Street (Dundee Properties, LLC) (Andover Consultants, Inc.)

- The applicant Jeffrey Sheehy of Dundee Properties, LLC is present.
- Field Inspector states the site is stable erosion controls removed there is 9' x 12' concrete pad about 80-feet from the resource area.
- A motion to issue the COC is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Letter from Andover Consultants, Inc. dated 11/25/13*
- *Letter from Dundee Properties, LLC dated 11/26/13*
- *Letter from Dundee Properties, LLC dated 11/26/13*
- *WPA Form 8A-Request for Certificate of Compliance*
- *As-Built Plan dated 11/11/13*
- *Photos dated 12/10/13*

242-1527, COC Request, Various Streets (Verizon) (Resource Controls Associates, Inc.)

- Field Inspector states work was well monitored by Resource Controls Associates, Inc., as well as the Conservation Department.
- A motion to issue the COC is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Letter from Resource Controls Associates, Inc. dated 9/3/13*
- *WPA Form 8A-Request for Certificate of Compliance*
- *Letter from Resource Controls Associates, Inc. dated 9/3/13*
- *As-Built Plan dated 11/14/13*

Enforcement Order Update

NACC#7 80 Saile Way (Russell) (cont. from 11/20/13)

- A motion to grant the request for a continuance to January 8, 2014 meeting is made by Mr. Lynch, seconded by Ms. Feltovic.
- Vote unanimous.

- **Document:**
- *E/Mail from Paul Russell requesting a continuance to January 8, 2014 meeting dated 12/11/13.*

242-1340, 1171 Turnpike Street (Uncle Bob's Self Storage) (cont. from 11/20/13)

- Robert L. Bourassa of Coastal Landscape is present.
- Mr. Bourassa states the invasive plants would be removed by hand this spring and replaced with native plants from Northeast Corridor. Stabilize site talk to new manger on site set on site visit with Conservation Administrator site visit make sure all information is with all parties involved with all requirements of the Enforcement Order.
- A motion to issue a new Enforcement Order to allow restoration area needs planted by July 1, 2014, O & M cleaning of all stormwater structures on the site by May 15, 2014 is made by Mr. Mabon, seconded by Ms. Feltovic.
- Vote unanimous.
- **Documents:**
- *Letter from Coastal Landscape dated 11/8/13*
- *Letter from New England Engineering Services, Inc. dated 12/28/2005*
- *Inspection Sheet*
- *Photos no date*
- *Photos no date*
- *Photos no date*
- *Photos dated 11/19/13*
- *Letter from Basbanes Wetland Consulting dated 12/28/2005*

Approval of 2014 Conservation Commission Meeting Schedule

- A motion to approve the 2014 Conservation Commission Meeting Schedule is made by Ms. Feltovic, seconded by Mr. Lynch.
- Vote unanimous.
- **Document:**
- *2014 Conservation Commission Meeting Schedule*

A motion to adjourn the meeting at: 9:40 P. M. is made by Mr. Lynch, seconded by Ms. Feltovic.

Vote unanimous.

